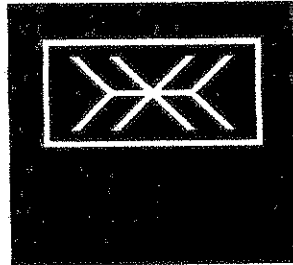


RACHEL
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CONSULTING

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JUN 06 2005

CITY OF SANTA BARBARA
PLANNING DIVISION

June 3, 2005

Amy Graham
TynanGroup
2927 de la Vina Street
Santa Barbara, CA 93105

RE: 210 Meigs Road (MST 2002-00710)

Dear Amy

This letter provides an updated review of potential impacts to biological resources within the proposed condo project. These comments are based on the most current site plans (East Beach Ventures, March 30, 2005). Previous letters, dated September 13, 2004 and July 27, 2001 addressed potential impacts to these resources under slightly different project designs.

The project would remove a number of eucalyptus and other non-native trees now established within the lot, which would potentially impact raptors and other birds when the trees are removed. Protective measures are also given for a mature oak tree located along the northern property line.

Projects Potential Affect on Raptors¹: Habitat quality for birds in stands of eucalyptus varies and is dependant upon tree density, understory development, and the presence or absence of adjacent native plants. The quality of the grove at this site is low because the copse is small and open, with little understory or native plants established nearby. Although the trees provide roosting habitat for raptors including American kestrel (*Falco sparverius*), red-shouldered and red-tailed hawks (*Buteo linearis* & *B. jamaicensis*), barn owl (*Tyto alba*), and great-horned owl (*Bubo virginianus*), there use as a nesting site for most birds of prey would be extremely limited due to the location and size of the copse. The site is located at a busy intersection of Meigs and Cliff Drive. It is also adjacent to Washington Elementary School. These birds prefer stands of native trees. However in the urban setting tall trees with strong limbs that will support larger birds are often exotic.

Removal of a cluster of non-native trees within an urbanized area is typically not considered a potentially significant impact under CEQA unless a listed, candidate or otherwise sensitive species is known to use (in the case of animals) or be established at (in the case of plants) the site. Raptors (birds of prey) are protected by laws and regulations administered by USFWS (under the Migratory Bird Treaty Act) and California Department of Fish and Game.

¹ There is no change to this impact under the most recent plan (3/30/05)
Post Office Box 1113

To ensure that birds of prey and other migratory birds are not harmed, construction and/or tree removal should begin before or after the breeding season (February 1st and August 15th). If tree removal or grading must be started during that time, a survey to locate active raptor nests should be conducted. If found, construction and tree removal could begin, but extend no closer than 200 feet from the nest until fledglings leave. This mitigation will reduce any impact to nesting raptors to less than significant levels.

Oak Tree Protection: The current site plan (March 30, 2005) reduces the potential impact to the single oak tree (24 inch) located in the northeast corner of the site next to Washington School. The current plan removes any potential for impacts to the tree by the storm drain and catch basin, which had crossed close to the trunk in previous plans, and is now located outside the dripline.

In addition, the perimeter CMU site wall is now curved into the site and around the tree canopy, rather than following the property line, which lies very close to the trunk. Construction of the retaining wall will remove the root system from about one-eighth of the area of the total canopy cover, which is approximately 16 feet from the tree trunk.

OAK TREE PROTECTION PLAN

The following protective measures will further ensure that this tree survives construction and will reduce any impact to less than significant levels.

1. **Fencing.** Prior to any ground disturbances, a temporary fence shall be installed, a minimum of 8 feet from the trunk in the direction of the wall, moving outward toward the canopy edges towards the north and south. Fencing shall be supported by posts on minimum eight-foot centers and shall remain in place during all grading and construction activities. Protective fencing shall be shown on all grading and building plans. If removal of fencing is required at constricted areas adjacent to approved work, fencing shall be reinstalled immediately, and left in place until construction is completed.
2. **Material Storage and Parking.** Construction equipment and vehicles shall not be driven or parked within the fenced area. Storage of fill soil, rocks, or construction materials within this area is also prohibited.
3. **Pruning.** Prior to grading, all trees that do not have sufficient clearance for proposed grading, or sufficient clearance to meet requirements for Fire Department access, shall be pruned. Pruning of oak trees shall be performed only under the direction of an arborist.
4. **Trenching** Excavation within the dripline of the oak shall be done by hand. All native tree roots encountered over 1 inch in diameter shall be cut cleanly by hand. If the

root area shall be backfilled (east of the wall), then the cut root shall be kept wrapped in moist burlap until backfilled. Soil area next to treated (cut) roots shall be irrigated to encourage regrowth.

5. Post-Construction Protection Measures.

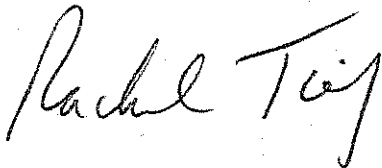
All trees located near proposed buildings shall be protected from stucco or paint.

No permanent irrigation shall occur within the dripline of the existing oak.

The oak tree shall receive deep feeding after grading activities are completed. A certified arborist or tree maintenance firm experienced in deep feeding of oak trees shall perform the deep feeding.

6. Mitigation Planting. When viewed as a percentage of the canopy cover, only a small portion of the oak root system would be disturbed. However the 24-inch DBH oak may have functioning roots that extend up to 24 feet from the tree trunk. If this were the case, about 1/3 of the root system would be impacted by development. Although the tree is expected to survive construction even under these circumstances, the addition of five coast live oak trees to the Landscape Plan (Black, 2005) will further ensure that the project results in no significant impacts to oak trees.

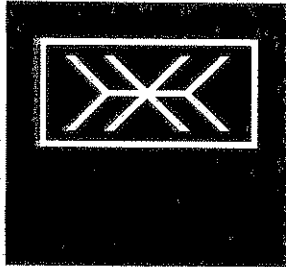
Sincerely,



Rachel Tierney

Cc: Peter Ehlen (Architect); David Black (Landscape Architect); Trish Allen (City of Santa Barbara)

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CONSULTING

September 13, 2004

Terri Green
TynanGroup
2927 de la Vina Street
Santa Barbara, CA 93105

RECEIVED
SEP 20 2004
CITY OF SANTA BARBARA
PLANNING DIVISION

RE: 210 Meigs Road (MST 2002-00710)
Response to 30-Day Development Application Review Team Comments

Dear Terri,

This letter provides additional information regarding the potential impacts of the proposed condo project on biological resources, requested in the City of Santa Barbara 30-Day Development Application Review Team Comments (item IIIA), dated June 23, 2004. The project would remove a number of eucalyptus and other non-native trees now established within the lot. The 30-day incomplete letter asked for additional information regarding potential impacts to raptors and other birds when the trees are removed. Protective measures are also given for a mature oak tree located along the northern property line.

Projects Potential Affect on Raptors: Habitat quality for birds in stands of eucalyptus varies and is dependant upon tree density, understory development, and the presence or absence of adjacent native plants. The quality of the grove at this site is low because the copse is small and open, with little understory or native plants established nearby. Although the trees provide roosting habitat for raptors including American kestrel (*Falco sparverius*), red-shouldered and red-tailed hawks (*Buteo linearis* & *B. jamaicensis*), barn owl (*Tyto alba*), and great-horned owl (*Bubo virginianus*), there use as a nesting site for most birds of prey would be extremely limited due to the location and size of the copse. The site is located at a busy intersection of Meigs and Cliff Drive. It is also adjacent to Washington Elementary School. These birds prefer stands of native trees. However in the urban setting tall trees with strong limbs that will support larger birds are often exotic.

Removal of a cluster of non-native trees within an urbanized area is typically not considered a potentially significant impact under CEQA unless a listed, candidate or otherwise sensitive species is known to use (in the case of animals) or be established at (in the case of plants) the site. Raptors (birds of prey) are protected by laws and regulations administered by USFWS (under the Migratory Bird Treaty Act) and California Department of Fish and Game.

Post Office Box 1113
Santa Barbara
California
93102

Tel 805.957.1100
Fax 805.957.2050

To ensure that birds of prey and other migratory birds are not harmed, construction and/or tree removal should begin before or after the breeding season (February 1st and August 15th). If tree removal or grading must be started during that time, a survey to locate active raptor nests should be conducted. If found, construction and tree removal could begin, but extend no closer than 200 feet from the nest until fledglings leave. This mitigation will reduce any impact to nesting raptors to less than significant levels.

Oak Tree Protection: The current site plan (August 19, 2004) provides adequate setback for the single oak tree (24 inch) located in the northeast corner of the site, next to Washington School. The following additional protective measures will further ensure this tree survives construction and will reduce any impact to less than significant levels.

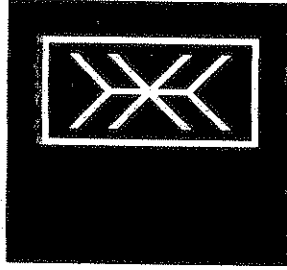
1. Prior to any ground disturbances, a temporary fence shall be installed and located as far from the tree trunk as possible to construct the open parking slot. Fencing shall be supported by posts on minimum eight-foot centers and shall remain in place during all grading and construction activities. Protective fencing shall be shown on all grading and building plans.
2. Construction equipment and vehicles shall not be driven or parked within the dripline (or as far from the trunk as possible). Storage of fill soil, rocks, or construction materials within these areas is also prohibited.
3. Trenching and digging within the dripline shall be done with rubber tire, light-weight machinery or by hand, and monitored. All roots over one inch in diameter shall be cut cleanly and properly treated.
4. Footings for the fence established along this property boundary should be dug as far as possible from the trunk on either side.

Sincerely,



Rachel Tierney

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July 25, 2001

Don Erickson
TynanGroup
2927 de la Vina Street
Santa Barbara, CA 93105

RECEIVED
MAY 27 2004
CITY OF SANTA BARBARA
PLANNING DIVISION

RE: Lighthouse Road parcel

Dear Don,

This letter summarizes my findings concerning the biological resources existing at a parcel located along Cliff Drive, adjacent to Washington School at the terminus of Lighthouse Road. The site is situated in an area of Santa Barbara known as the Mesa, and is surrounded on all sides by development (residential and commercial). Vegetation within this disturbed site consists of common ornamental shrubs (*Pyracantha*, *Myoporum*) and trees (*Acacia*, California Pepper, *Eucalyptus*). Ground cover consists of non-native grasses (*Bromus*, *Avena*) and common weeds (mustard, radish, thistle).

Potentially Significant Resources

1. Coast Live Oak (*Quercus agrifolia*)

Two coast live oaks were noted at the periphery of the subject property: a small sapling (DBH = 4 inches) along the edge of Lighthouse Road within landscape material near the Washington School parking access road; and a mature tree (DBH = 14 inches) at the northern edge of the site, also near the school. Either tree may actually be located outside of the property boundary. **The mature tree should be retained.** It is in excellent health and displays very fine form.

2. Monarch Butterfly Habitat

The subject property contains a number of mature eucalyptus trees. A recent study of monarch butterfly overwintering use in Santa Barbara County (including the City of Santa Barbara) identifies a "transitory site" at La Mesa Park, located to the west of the subject property (Althouse and Meade, 1999). A "transitory site" is one that is used during winter migration for less than one week. It may harbor butterfly clusters for one or several nights during movement to a more permanent "aggregation site" such as the one located in Honda Valley to the east, or to other sites located up the coast.

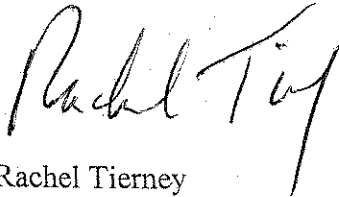
Removal of eucalyptus within the subject property would not constitute a significant impact to migrating monarchs (Meade, personal communication). Butterflies have not been seen at the subject property. Although the eucalyptus may provide a stopping off site between overwintering locations, their use would be very minor.

3. Sensitive Species

No listed or proposed rare or otherwise sensitive species were noted on-site, nor are any expected based on the existing conditions and local records (CNPS, 2001; CDFG 2001).

Please call if you need additional information.

Sincerely,



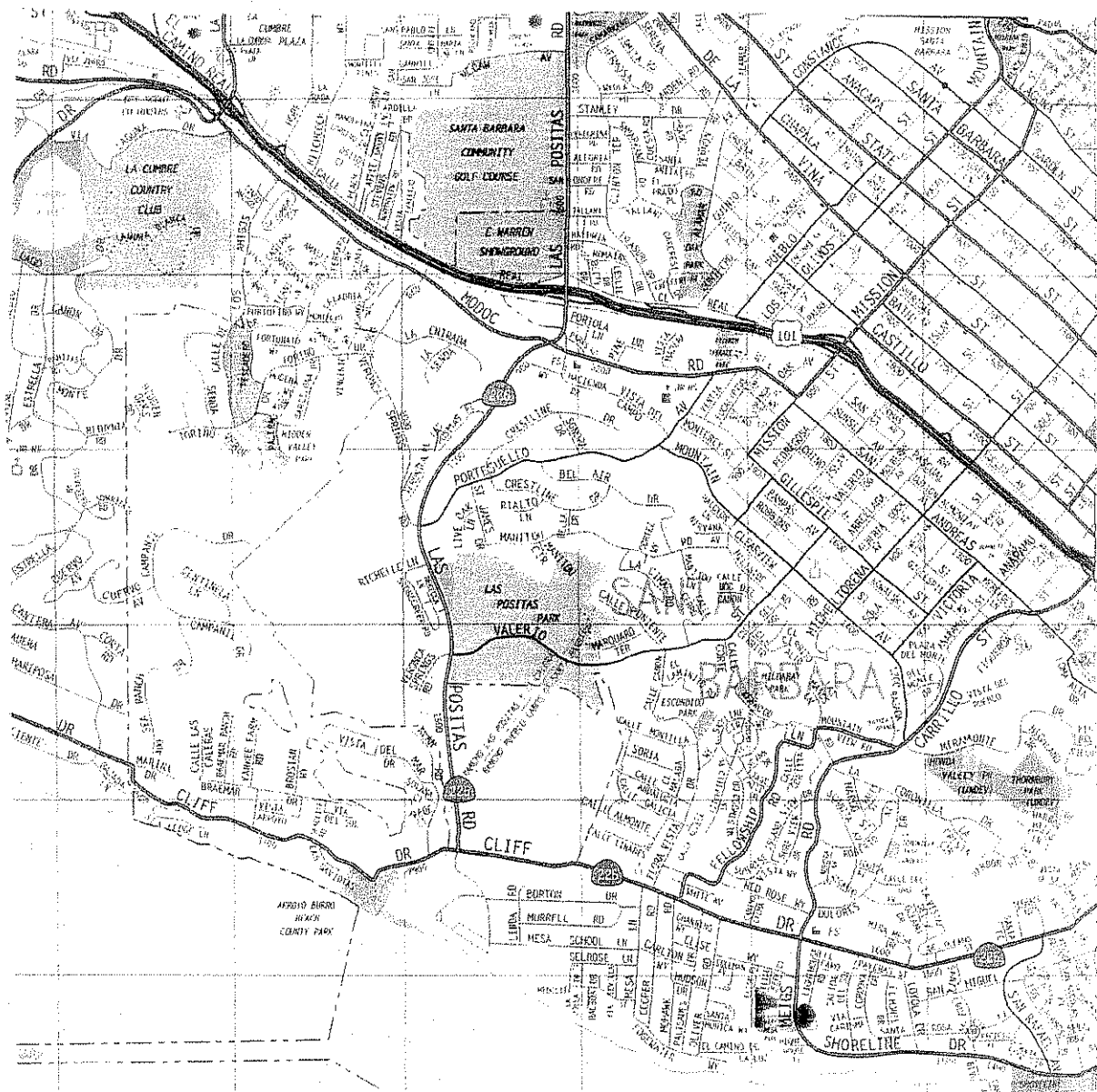
Rachel Tierney

References:

California Department of Fish and Game. 2000. Natural Diversity Data Base Special Plants and Special Animals. The Resources Agency, Non-game Heritage Program. April 2000.

California Native Plant Society, 2001. Inventory of Rare and Endangered Vascular Plants. (www.cnps.org/rareplants/inventory/6thEdition.txt).

Meade, Daniel. 1999. Monarch Butterfly Overwintering Sites in Santa Barbara County, California. Althouse and Meade, Inc. 1135 Stoney Creek Rd. Paso Robles, CA 93446. Prepared for the County of Santa Barbara. November 1999.



BIOLOGICAL RESOURCES



Subject Property



"Transitory" Monarch Butterfly Site
(Althouse and Meade, 1999)

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